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By ECF
Honorable Ronnie Abrams
United States District Court Judge
Southern District Of New York
40 Foley Square, Room 2203
New York, New York 10007

January 9, 2020

USDC-SDNY DOCUMENT ELECTRONICALLY FILED DOC #: DATE FILED: 1/9/20

Re: D'Arrigo Bros Co. Of New York Inc. v. JHJW Inc., et al.
S.D.N.Y. Civ. Case No.: 19-cv-10540 (RA)

Dear Judge Abrams:

This firm represents defendants JHJW Inc. and Joseph Starks in this matter. Please accept this letter as a joint status report from the Plaintiff and the Defendants in accordance with Your Honor's January 2, 2020 Order, and as an adjournment request of the pending Order To Show Cause hearing presently scheduled for January 13, 2020 at 11:30 a.m.

Over the past several days, the parties, by counsel, have engaged in good faith settlement discussions. While a settlement has not yet been reached, both sides remain optimistic that a settlement may be reached within the next few days.

I also write to advise the Court that I have a scheduling conflict the morning of January 13th in connection with an omnibus hearing scheduled at the United States Bankruptcy Court for the Eastern District of New York (Brooklyn).

In light of the above, the Plaintiff and the Defendants jointly request that the Order To Show Cause hearing that is presently scheduled for January 13, 2020 at 11:30 a.m. be adjourned to a day and time of the Court's availability and convenience the following week.

In accordance with Rule I.D. of Your Honor's Individual Rule & Practices In Civil Cases: (1) The Order to Show Cause hearing was originally returnable on December 20, 2019. (2) The hearing was first adjourned upon the Plaintiff's counsel's request to January 6th. It was adjourned to January 13th by the Plaintiff's counsel and upon my firm being engaged late last week. This is a third adjournment request. (3) The prior adjournment requests were granted. (4) The Plaintiff and the Defendants consent to this adjournment request. The parties are not aware of any other schedule or deadline that would be impacted if this request is granted.

In the event that the parties are able to resolve this matter, we will promptly notify the Court by joint letter. Please advise of any questions, and the Court's consideration is graciously appreciated.

Application granted. The order to show cause hearing scheduled for January 13, 2020 is hereby adjourned. In light of the multiple adjournment requests to date and the parties' indication that they may resolve this case "within the next few days," the parties shall jointly file a letter no later than January 15, 2020, updating the Court as to the status of this case and informing the Court of whether they seek to proceed with the hearing.

SO ORDERED.

Hon. Ronnie Abrams
1/9/2020

Respectfully submitted,

Jonathan Bodner
For the Firm

is counsel
Defendants

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